

2-4-93

Subject: Burbank Aquifer Exemption

From: Ron Van Wyk
Compliance Engineer

To: Gus Chavarria
Chief, UIC Permits and Enforcement Section

You asked me to come up with some bullets on the aquifer exemption in western Osage County. My recall of the history of the exemption follows. Of course, Dick did most of the work and tracked the progress, so some of the dates and events may be off or missed.

1. Mid, 1988 to early, 1989--Met with Phillips representatives to discuss their plans to ask for an aquifer exemption in the South Burbank Unit. Several meetings were held and Phillips representatives talked to Dick on the phone frequently. I believe that you and I were involved in a couple of those meetings, but Dick handled the technical details and was the main participant from EPA. Dick did a lot of technical analysis of Phillips ideas and advised Phillips on what we could or could not approve.
2. May 25, 1989--Phillips requested exemption of portions of the "Z-sand" and "Happy Hollow" formations in Osage County, Oklahoma.
3. June 30, 1989--Myron O. Knudson sent Phillips a letter that the application was complete.
4. July 28, 1989--Dick sent you a memo which recommended approval of the requested aquifer exemption. I realize that it was only 30 days after we determined that Phillips request was complete, but remember that he had been working on the request for at least a year as Phillips submitted preliminary documents.
5. August 8, 1989--Headquarters sent Dick comments on a draft Federal Register notice on the exemption. There is no record in my file on when he sent it to headquarters, but I assume that it was approximately the same time that he sent you his recommendations.
6. August 23, 1989--Dick sent a memo to Andrew Cherry with a revised draft Federal Register notice.
7. November 27, 1989--Dick talked to Don Olson about a draft Federal Register notice.
8. December 22, 1989--Memo from Don Olson that headquarters has formed a work group to review proposed Osage UIC Regulations. These include aquifer exemption as well as inactive wells and mechanical integrity.

FOR MR. CHAVARRIA

9. August 7, 1990--Received draft regulation change from headquarters.

10. October 31, 1990--Received draft regulation change from headquarters. I commented verbally during January 10, 1991, telephone conversation with Don Olson.

11. April, 1992--Regional program evaluation by headquarters. Discussed regulation change and aquifer exemption with Bob Blanco. First he heard of it. He promised to get back to us.

12. August 13, 1992--Gave Don Olson following data concerning the proposed exemption:

- Area 21.25 square miles (Phillips-5.25 square miles;
Others-16 square miles)

- Companies affected 8 (Phillips-81 wells
Sterling Oil-1 well
George Pease-3 wells
Ceja-9 wells
Discovery-5 wells
Calumet-3 wells
Behlen-1 well
Hyperion-19 wells)

- Discussed extensively reasons for the exemption and consequences of not granting the Region's request.